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Filing date: **10/10/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91199752
Party	Defendant Afgritech Ltd.
Correspondence Address	THOMAS H VAN HOOZER HOVEY WILLIAMS LLP 10801 MASTIN BLVD , SUITE 1000 KANSAS CITY, MO 66210 UNITED STATES tvh@hoveywilliams.com, clb@hoveywilliams.com, litigation@hoveywilliams.com
Submission	Motion to Join/Substitute Party
Filer's Name	Thomas H. Van Hoozer
Filer's e-mail	tvh@hoveywilliams.com, clb@hoveywilliams.com, litigation@hoveywilliams.com
Signature	/Thomas H. Van Hoozer/
Date	10/10/2012
Attachments	Motion for Leave to Join a party.pdf ( 9 pages )(986331 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Evonik Degussa GmbH	)	
	)	
Opposer,	)	
	)	Consolidated Opposition No. 91199752
v.	)	
	)	
Afgriotech Ltd.	)	
	)	
Applicant.	)	

**STIPULATED MOTION TO ADD A PARTY TO CONSOLIDATED OPPOSITION**

This is a Consolidated Opposition, consolidating *Evonik Degussa GmbH v. Afgriotech Ltd.*, Opposition No. 91/199,752 concerning Afgriotech Ltd.'s application serial no. 85/096,047 to register the mark AMINOGREEN, and *Afgriotech Ltd. v. Evonik Degussa GmbH*, Opposition No. 91/200,334 concerning Evonik Degussa GmbH's application serial no. 79/083,600 to register the mark AMINORED. Afgriotech Ltd. asserted Reg. No. 3,905,808 for the mark AMINOMAX in Opposition No. 91/200,334.

Afgriotech Ltd. has now assigned the mark AMINOMAX and Reg. No. 3,905,808 to Carr's Agriculture Limited. The assignment was executed July 31, 2012 and recorded in the U.S. Patent and Trademark Office at Reel/Frame 4866/0716 on September 24, 2012. A copy is appended hereto. Afgriotech Ltd. remains the owner of application serial no. 85/096,047 for the mark AMINOGREEN.

Accordingly, Afgriotech Ltd. hereby moves to add Carrs Agriculture Limited, a company organized under the laws of the United Kingdom, as a party to this consolidated opposition. Pursuant to 15 U.S.C. § 1060, any action with respect to the registration which may or must be taken by the registrant may be taken by the assignee, provided that the assignment has been recorded with the US Patent and Trademark Office or that proof of the assignment has been submitted in the Board

proceeding record. By the attachment hereto, both are done hereby. Pursuant to TBMP §512.01, Carrs Agriculture Limited, as assignee of Reg. No. 3,905,808 for the mark AMINOMAX, should be joined as a party, as discovery has not yet concluded.

Scott Woldow, counsel for Evonik Degussa GmbH, has been contacted and stipulates and joins in this motion.

Wherefore, the parties move that Carrs Agriculture Limited be joined in this consolidated opposition proceeding in the capacity of the opposer in Opposition No. 91/200,334.

Respectfully submitted,

/s/ Thomas H. Van Hoozer  
Thomas H. Van Hoozer, Reg. No. 32,761  
Cheryl L. Burbach  
Hovey Williams LLP  
Suite 1000, 10801 Mastin Boulevard  
Overland Park, Kansas 66210  
Phone: (913) 647-9050  
Fax: (913) 647-9057

Attorneys for Applicant Afgritech Ltd.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was deposited with the United States Postal Service as first class mail, postage prepaid, on this 10<sup>th</sup> day of October, 2012 to:

Scott D. Woldow, Esq.  
Smith, Gambrell & Russell, LLP  
1130 Connecticut Avenue, N.W., Suite 1130  
Washington, District of Columbia 20036

Attorneys for Opposer  
Evonik Degussa GmbH

/s/Cheryl L. Burbach

# Exhibit A



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEPTEMBER 28, 2012

PTAS

THOMAS VAN HOOZER / HOVEY WILLIAMS LLP  
10801 MASTIN BLVD.  
SUITE 1000  
OVERLAND PARK, KS 66210

**900234288**

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RECORDATION DATE: 09/25/2012

REEL/FRAME: 4866/0716  
NUMBER OF PAGES: 3

BRIEF: ASSIGNS THE ENTIRE INTEREST

DOCKET NUMBER: 37376; 4399.001

ASSIGNOR:  
AFGRITECH LTD.

DOC DATE: 07/31/2012  
CITIZENSHIP: UNITED KINGDOM  
ENTITY: CORPORATION

ASSIGNEE:  
CARRS AGRICULTURE LIMITED  
  
OLD CROFT, STANWIX  
CARLISLE CUMBRIA, UNITED KINGDOM CA3  
9BA

CITIZENSHIP: UNITED KINGDOM  
ENTITY: COMPANY

SERIAL NUMBER: 78917853  
REGISTRATION NUMBER: 3905808  
MARK: AMINOMAX  
DRAWING TYPE: STANDARD CHARACTER MARK

FILING DATE: 06/27/2006  
REGISTRATION DATE: 01/11/2011

ASSIGNMENT RECORDATION BRANCH  
PUBLIC RECORDS DIVISION

## Redacted

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<b>CONVEYING PARTY DATA</b>													
<table border="1"><thead><tr><th>Name</th><th>Formerly</th><th>Execution Date</th><th>Entity Type</th></tr></thead><tbody><tr><td>Afgriotech Ltd.</td><td></td><td>07/31/2012</td><td>CORPORATION: UNITED KINGDOM</td></tr></tbody></table>	Name	Formerly	Execution Date	Entity Type	Afgriotech Ltd.		07/31/2012	CORPORATION: UNITED KINGDOM					
Name	Formerly	Execution Date	Entity Type										
Afgriotech Ltd.		07/31/2012	CORPORATION: UNITED KINGDOM										
<b>RECEIVING PARTY DATA</b>													
<table border="1"><tr><td><b>Name:</b></td><td>Carrs Agriculture Limited</td></tr><tr><td><b>Street Address:</b></td><td>Old Croft, Stanwix</td></tr><tr><td><b>City:</b></td><td>Carlisle Cumbria</td></tr><tr><td><b>State/Country:</b></td><td>UNITED KINGDOM</td></tr><tr><td><b>Postal Code:</b></td><td>CA3 9BA</td></tr><tr><td><b>Entity Type:</b></td><td>COMPANY: UNITED KINGDOM</td></tr></table>	<b>Name:</b>	Carrs Agriculture Limited	<b>Street Address:</b>	Old Croft, Stanwix	<b>City:</b>	Carlisle Cumbria	<b>State/Country:</b>	UNITED KINGDOM	<b>Postal Code:</b>	CA3 9BA	<b>Entity Type:</b>	COMPANY: UNITED KINGDOM	
<b>Name:</b>	Carrs Agriculture Limited												
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<b>Entity Type:</b>	COMPANY: UNITED KINGDOM												
<b>PROPERTY NUMBERS Total: 1</b>													
<table border="1"><thead><tr><th>Property Type</th><th>Number</th><th>Word Mark</th></tr></thead><tbody><tr><td><b>Registration Number:</b></td><td>3905808</td><td>AMINOMAX</td></tr></tbody></table>	Property Type	Number	Word Mark	<b>Registration Number:</b>	3905808	AMINOMAX							
Property Type	Number	Word Mark											
<b>Registration Number:</b>	3905808	AMINOMAX											
<b>CORRESPONDENCE DATA</b>													
<b>Fax Number:</b>	9136479057												
<b>Phone:</b>	913-647-9050												
<b>Email:</b>	tmdocketing.vanhoozer@hoveywilliams.com												



<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>	
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<b>Address Line 2:</b>	Suite 1000
<b>Address Line 4:</b>	Overland Park, KANSAS 66210
<b>ATTORNEY DOCKET NUMBER:</b>	37376; 4399.001
<b>DOMESTIC REPRESENTATIVE</b>	
<b>Name:</b>	Thomas H. Van Hoozer, HOVEY WILLIAMS LLP
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<b>Address Line 4:</b>	Overland Park, KANSAS 66210
<b>NAME OF SUBMITTER:</b>	Thomas H. Van Hoozer
<b>Signature:</b>	/Thomas H. Van Hoozer/
<b>Date:</b>	09/25/2012
<b>Total Attachments: 1</b> source=Assignment#page1.tif	
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ASSIGNMENT

WHEREAS, Afgritech Limited, a company of the United Kingdom, having its principal place of business at Old Croft, Stanwix, Carlisle Cumbria CA3 9BA, United Kingdom, has adopted, used and is using the following mark which is registered in the United States Patent and Trademark Office:

<u>Mark</u>	<u>Registration No.</u>
AMINOMAX	3,905,808

(hereinafter "said Mark")

WHEREAS, Carrs Agriculture Limited, a company of the United Kingdom, having its principal place of business at Old Croft, Stanwix, Carlisle Cumbria CA3 9BA, United Kingdom, is desirous of acquiring said Mark and the registration thereof,

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, said Afgritech Limited does hereby assign unto the said Carrs Agriculture Limited, all right, title and interest in and to the said Mark, together with the good will of the business symbolized by the said Mark, and the above identified registration thereof together with the right to sue for and collect on all claims for damages by reason of past infringement of any of said marks.

This instrument has been duly executed on the 31 day of July, 2012.

AFGRITECH LIMITED

By

Name:

Title:

CNE ADAMS  
DIRECTOR